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NEWS AND NOTES

PERSONAL AND BIBLIOGRAPHICAL¹

EDITED BY JOHN M. MATHEWS

University of Illinois

Prof. Frank J. Goodnow, formerly professor of administrative law and municipal science in Columbia University, and more recently legal adviser to the Chinese Republic, has been elected president of the Johns Hopkins University in succession to Dr. Ira Remsen, resigned, and will assume his new duties in the fall.

Prof. W. M. Daniels, formerly head of the department of history, politics and economics at Princeton University, and more recently a member of the New Jersey state public utilities commission, has been appointed by President Wilson a member of the interstate commerce commission.

President Harry Pratt Judson, of the University of Chicago, has left for China as the head of a special commission sent by the Rockefeller Foundation to examine health conditions and sanitation there and report upon the advisability of establishing a college of medicine designed particularly to promote the public health in the Chinese Republic.

Prof. John Bassett Moore, after serving one year as counsellor of the state department under the Wilson administration, has severed his connection with the department, and will continue his work for the Carnegie Endowment for International Peace and later resume his connection with Columbia University. In his place, President Wilson has appointed Mr. Robert Lansing, of New York, who served as counsel in the arbitration at The Hague in 1909 of the North Atlantic Coast fisheries case.

¹ In the preparation of book notes, assistance has been received from Prof. J. W. Garner and others.

Dr. S. K. Hornbeck, formerly of the department of political science at the University of Wisconsin and for the past four and a half years professor in Chinese government schools at Hangchow, China, and Mukden, Manchuria, has accepted a position as assistant professor in the department of political science at Madison. He has charge of the courses in international law and oriental politics.

Prof. Frederic A. Ogg, until recently associate professor of history at Simmons College, has been appointed to an associate professorship at the University of Wisconsin.

Prof. Isidor Loeb, of the University of Missouri, has been appointed a member of the committee of twenty-five to take steps for the formal establishment of the National Association of College Professors.

President Hadley, of Yale University, delivered a course of lectures at Oxford University this spring on "The Institutions of the United States."

Mr. Felix Frankfurter has been appointed to a professorship in the faculty of the Harvard Law School.

Prof. A. B. Hart, of Harvard University, has been selected as the next exchange professor to the University of Berlin, his term of service falling in the second semester of next year.

During the past year, Dr. Shosuke Sato, of the Tohoku Imperial University of Japan and the second Japanese scholar to visit this country on the American-Japanese exchange professorship foundation, has visited a number of American Universities and delivered lectures in the interest of international understanding and peace.

President A. T. Hadley of Yale University delivered a course of lectures at the University of Virginia during April on the Barbour-Page Foundation. His subject was "Some Problems of American Democracy."

Prof. Howard B. Woolston, of the College of the City of New York, has been on leave of absence this year in order to take charge of the minimum wage investigation for the State of New York. During his

absence his work has been given by Prof. Maurice Parmalee, of the University of Missouri.

Prof. L. S. Rowe, of the University of Pennsylvania, will be on leave of absence next year and will take an extended trip through the principal countries of South America.

Prof. Wm. H. Taft, of Yale University, gave a series of four lectures at Amherst College this spring on the Henry Ward Beecher Foundation. His subjects were "The Signs of the Times," "The People, the Constitution, and the Courts," "The Executive Power" and "The Monroe Doctrine."

On leave of absence during the second half of the present academic year are Profs. C. A. Beard of Columbia University; E. S. Corwin of Princeton University, and A. R. Hatton of Western Reserve University. During the absence of Professor Hatton, his work is being given by Prof. F. W. Dickey.

Prof. Jesse S. Reeves of the University of Michigan is one of the collaborators engaged in the preparation of an historical atlas of the United States, under the auspices of the Carnegie Institution.

The Dodge lectures on the "Responsibilities of Citizenship," at Yale University, were given this year by Mr. George McAneny of New York City. These lectures will be given next year by ex-Congressman Samuel W. McCall of Massachusetts.

Dr. E. Dana Durand, of the University of Minnesota, has been appointed to take charge of the work of the Minnesota efficiency and economy commission, in making recommendations for improving and reorganizing the state government. During April, Dr. Durand delivered a course of lectures at Harvard University on the general subject of trusts and combinations.

Prof. J. A. Brindley has been appointed head of the department of political science and economics at Iowa State College.

Prof. C. S. Potts, of the school of government of the University of Texas, has been appointed assistant dean of the department of law at

that University. His place will be filled by the addition of a full professor to the staff of the school of government next year.

Henry J. Peterson, of the department of government in the Iowa State Teachers College, has been spending a year's leave of absence in the University of Iowa where he is a candidate for the doctor's degree in June. He will return to the Teachers College during the summer session as assistant professor of government.

The department of government in the Iowa State Teachers College will offer two additional college courses during 1914-15, one in American political parties and party government, and the other in local government. The department now offers eleven college courses.

Prof. E. C. Stowell, of Columbia University, has been elected to the executive council of the National Civil Service Reform League. He is preparing a volume on the law of reprisals, which will be published towards the close of the academic year.

Prof. Herman G. James, of the school of government of the University of Texas, and one of the associate editors of the *National Municipal Review*, has been appointed a member of the committee on a municipal program of the *National Municipal Review*.

Mr. Arthur W. Dunn, formerly secretary of the City Club of Philadelphia, and more recently connected actively with the National Municipal League in its investigations in the field of civic education, is conducting a similar investigation under the bureau of education. He has been visiting a number of educational institutions for the purpose of collecting material for a number of bulletins which the bureau of education will shortly publish on the general subject of civic education.

Mr. J. A. Lapp, of the bureau of legislative information, Indianapolis, has been appointed by President Wilson a member of the commission to investigate the subject of national aid to vocational education and report a plan to Congress.

Prof. J. S. Young, of the department of political science of the University of Minnesota, has been appointed a member of the minimum wage commission of that State.

Prof. J. S. Shapiro, of the College of the City of New York, has in preparation a volume on social and political conditions in contemporary Europe.

Dr. M. N. Orfield, of the University of Minnesota, has been appointed secretary of the bureau of public affairs of that institution.

In connection with its survey of the social and industrial progress of the United States, the National Civic Federation has recently appointed a committee to investigate and report on the subject of "free speech and public assembly." Judge Alton B. Parker is chairman of the committee.

At the request of the committee on legal education and bar admission of the American Bar Association, the Carnegie Foundation for the Advancement of Teaching has decided to undertake an investigation into the conditions under which instruction in law is given in the United States.

A department of political science has been created at the Indiana State University, with Prof. A. S. Hershey as head. It is proposed that the work in political science hitherto given in the departments of history and political science and of economics and sociology by Professors Hershey, Woodburn, Bates and Lapp shall be brought together in the new department. For the present this will involve no additions to the teaching staff, but merely a reorganization of the present force.

A movement to strengthen the department of public law in the Columbia University summer school is evidenced by the courses offered for 1914. Professor Powell will give courses in American constitutional law; Professor McBain, courses in American federal government and American party government; and, at the suggestion of the Carnegie Endowment for International Peace, courses will be given for the first time in international law and the history of American diplomacy (Prof. E. C. Stowell).

A Pan-American division of the American Association for International Conciliation has been organized under the directorship of Harry Erwin Bard. The purpose of the division is stated as that of "facilitating the development of closer intellectual and cultural relations

between the peoples of the republic of America." Its program includes the collection and dissemination of reliable information concerning the other American republics; the encouragement of international visits of representative men and women in the United States and in other American republics; the interchange of students, instructors and professors by educational institutions; the encouragement of wider study of the Spanish and Portuguese languages in the United States and the English language in other American countries; and the maintenance of connections with other organizations and agencies for the cultivation of good understanding and good relations between the peoples of the republics of America. It is hoped that a party of American students, representative of various universities in the United States, and a separate party of professors, will be organized to visit several of the South American countries this summer.

The National Voters League has been organized with headquarters at Washington, D. C. Its object is to throw a searchlight on Congress, to let the people know what their congressmen and senators are doing, and to disseminate information to the public which cannot be obtained in other ways. Several bulletins have been issued by the league. The secretary is Lynn Haines, 829 Woodward Building, Washington, D. C.

An organization known as the American Judicature Society has been launched for the purpose of promoting the efficient administration of justice in States and cities. It is under the control of a board of directors, of which Chief Justice Harry Olson, of the municipal court of Chicago, is chairman. Other members of the board include Prof. J. H. Wigmore, of the Northwestern University Law School; Prof. J. P. Hall, of the University of Chicago Law School, and Prof. Roscoe Pound, of the Harvard University Law School. The society is at present engaged in drafting a model act intended to create an efficient judicial organization for States, with provision for a special organization suited to the needs of large cities. This act will also include such matters as the selection and tenure of judges and other agents of the judicial department. The secretary of the society is Herbert Harley and the headquarters are located at 29 South La Salle Street, Chicago.

The American Civic Alliance is preparing a symposium on the subject of what an American citizen should be and do, with the object of secur-

ing general recognition for definite standards of civic duty. The Alliance is also undertaking to organize local civic alliances in schools, colleges and universities to promote the study and practical participation in the duties of citizenship. It may be interesting to note certain steps in this direction which have already been taken in some of our colleges and universities. Following a precedent set two years ago, the Oberlin College Civic Club has issued a pamphlet containing a statement of the records of candidates for office in Lorain County, Ohio, for the use of voters in the recent elections. The work was under the direction of Prof. K. F. Geiser of the department of political science.

In connection with the recent referendum in Vermont on the question of adopting the direct and preferential primary, the class in politics at the University of Vermont, under the supervision of Prof. G. G. Groat, issued a twenty-page pamphlet which was circulated over the State with a view to giving the voters a concise and impartial description of the actual operation and comparative merits of the direct and preferential primary and the convention system. The pamphlet was largely based upon Professor Merriam's *Primary Elections*, and Professor Ray's *Introduction to Political Parties and Practical Politics*. The referendum resulted in a large majority favorable to both the direct and the preferential primary.

A course of lectures on citizenship was inaugurated during the past year at Cornell University with the object of presenting to the students the opportunities for public service which may be open to them upon graduation. The course was established through the efforts of the alumni and alumnae associations, and was under the direction of Prof. Walter F. Willcox.

The eighth annual meeting of the American Society of International Law was held at Washington, D. C., April 22-25. The subjects discussed were the "Monroe Doctrine," "The Codification of International Law," and the "Teaching of International Law in the Educational Institutions of the United States."

The Second Conference on Legal and Social Philosophy was held at Chicago, April 10-11. The program as announced was an exceptionally interesting one, and it is to be hoped that the papers which were read and the discussions upon them will be published.

The twentieth annual Lake Mohonk Conference on International Arbitration will be held May 27-29, Prof. John Bassett Moore presiding. The discussions will relate to the proposed work of the Third Hague Conference, the value of the Wilson-Bryan peace treaties, and generally to the promotion of international arbitration.

At the second annual meeting of the Chamber of Commerce of the United States, held at Washington in February, addresses were made by President Van Hise of Wisconsin, Mr. Louis D. Brandeis and others on the proposed interstate trade commission, and general anti-trust legislation.

The third annual meeting of the Michigan State Tax Association was held in January at Kalamazoo. Papers were read on "The Federal Income Tax Laws," "Municipal Extravagance," "Taxation of Railways," and "The Work of the State Tax Commission."

The first meeting of the Indiana State Tax Association was held in Bloomington in February. Prof. William A. Rawles of the State University of Indiana was elected president of the Association.

The National Tax Association announces the early publication of volume vii of its *Proceedings*, containing the papers read at the 1913 conference, and also a new edition of volume ii of the *Proceedings*.

The Twenty-third Annual Report of the New York Tax Reform Association, for 1913, contains a review of state tax legislation enacted during the past year.

The commission on peace and arbitration of the Federal Council of the Churches of Christ in America has issued a bulletin containing two addresses by Prof. S. L. Gulick of Doshisha University, Kyoto, the one dealing with the proposal that immigration into the United States should be limited to 5 per cent, annually, of those already naturalized, with their American-born children, the other presenting a summary statement of the points made in Professor Gulick's recent volume on *The American-Japanese Problem*.

The first issue of *The Political Quarterly*, an important new journal devoted to political and social studies, made its appearance in February.

It is under the editorial direction of Prof. W. G. S. Adams of All Souls College, Oxford, England, and is published in very attractive form by the Oxford University Press. The first number sets a high standard. That the new review does not confine itself merely to English political and social developments is indicated by the publication in the first number of an article on "The Amendment of the United States Senate," by Senator Henry Cabot Lodge. Other leading articles deal with "The Home Rule Situation," "Municipal Government in Birmingham," and "The State in Recent Political Theory." There is also a review of politics and public administration in the United Kingdom and Canada during 1913, and a department of book reviews.

The Annals of the American Academy of Political and Social Science for March consists of a symposium of descriptive and critical papers on "Reform in the Administration of Justice." The *Annals* for May will contain the papers read at the recent annual meeting of the Academy held for the discussion of the international relations of the United States with special reference to Latin-America.

Beiheft Nr. 13 of the *Archiv für Rechts- und Wirtschaftsphilosophie* is a study by Karl Strupp, entitled "Die internationale Schiedsgerichtsbarkeit (Berlin: Dr. Walther Rothschild, 1914, pp. 101.)

James Bryce has published as a separate book the two essays, originally included in his *Studies in History and Jurisprudence*, dealing with "The Ancient Roman Empire and the British Empire in India" and "The Diffusion of Roman and English Law Throughout the World" (*The Roman and the British Empires*, Oxford University Press, 1914, pp. 138).

A second edition of J. A. R. Marriott's *English Political Institutions* has appeared (Oxford: The Clarendon Press, 1913). A number of minor corrections and changes have been made, and the text of the parliament act of 1911 has been added in an appendix.

Two state financial histories recently issued are *The Financial History of New York State from 1789 to 1912*, by D. C. Sowers (Columbia University Studies, vol. lvii, no. 2, 1914, pp. 346), and *A Financial History of California*, by W. C. Fankhauser (University of California Publications, vol. 3, no. 2, 1913, pp. 307). Chapter VII of the latter work

contains an account of the movement in California toward the separation of the sources of state and local revenue.

Among recent handbooks on state government may be mentioned *The Government of Iowa*, by F. E. Horack (New York: Scribner, 1913, pp. 216), and *Actual Government in Illinois*, by Mary Louise Childs (New York: Century Company, 1914, pp. 224).

"The Legislative Reference Bureau as a Factor in State Development" is the title of a paper by A. E. Sheldon, director of the Nebraska legislative reference bureau, read at the meeting of the National Association of Conservation Commissioners at Washington last November, and reprinted in *Special Libraries* for January. A paper, on "The Place of Legislative Reference Bureaus in Government," was read by Prof. C. S. Potts, director of the legislative reference bureau of the University of Texas at the first annual meeting of the League of Texas Municipalities, and has been published in the proceedings of the league.

Special Libraries for January contains a list of references on state supervision and administration of charities and correction, supplementing a similar list published in the same periodical for April, 1911.

The Woman's Auxiliary of the National Civil Service Reform Association has issued the third edition of its *Bibliography on Civil Service Reform and Related Subjects* (1913).

The Macmillan Company has issued a fourth edition of Kirkbridge and Sterrett's *The Modern Trust Company: Its Functions and Organization* (New York: 1913, pp. 319). The work has been brought up to date and the bibliography rearranged and amplified.

The Year Book of the United States Brewers' Association (New York: U. S. Brewers' Association, 1913, pp. 312) contains a convenient summary by States of legislation, enacted and pending, relating to the manufacture and sale of intoxicating liquors. The volume contains also discussions of the economic, physiological and social effects of liquor consumption.

A new and revised edition of Beard's *Readings in American Government and Politics* has appeared from the press of the Macmillan Com-

pany (New York: 1914, pp. 638). The text has been brought more nearly to date by the addition of extracts from the national party platforms of 1912, and selections illustrating presidential primaries, changes in the procedure of the house of representatives, the recall, and the recall of judicial decisions. The text of the Constitution of the United States containing the two recently adopted amendments has also been included.

Notes on Politics and History, by Viscount Morley (New York: The Macmillan Company, 1913), is the title of a thin volume which grew out of a lecture delivered by Lord Morley in the summer of 1912 as chancellor of the University of Manchester. It contains in brief compass much philosophic thought of this leading British scholar and statesman regarding the chief elements of politics and the various kinds of historical writing.

Prof. Lewis H. Haney's *Business Organization and Combination* (Macmillan's) will prove useful to those readers who wish to have in a single volume, and that not over-large, a complete discussion of the corporation and the trust. The author shows skill in compressing much material into a small space, but has been obliged to deal with certain parts of the subject in an extremely cursory manner. His treatment of the evolution of the various forms of business organization, for example, is so meager as to be almost worthless.

In his little book, entitled *The New Agrarianism* (Putnam's, 1913), Mr. Charles W. Dahlinger endeavors to prove that the greater part of the political and economic evils now existent in the United States are traceable primarily to retarded agricultural development. As hints to the solution of the problem, he gives brief accounts of what has been done in England, Germany and Denmark for the improvement of agricultural conditions.

Mr. Charles P. Williams, of the St. Louis bar, has published in pamphlet form the *Lectures on Federal Jurisdiction* (St. Louis, 1913, pp. 139) delivered by him before the law school of Washington University. The authorities upon the statements contained in the text are cited in the footnotes, and thus the work constitutes a textbook upon this important topic of federal jurisprudence. It remains, however, a treatise for the student rather than the practitioner. The author notes

in his preface that, owing to pressure of other work, he has not been able to deal with practice in equity, federal criminal law or admiralty law.

Two bibliographies on woman suffrage have recently been issued by the International Woman Suffrage Alliance and the National Equal Suffrage League respectively. They are sold by the National American Woman Suffrage Association, 505 Fifth Avenue, New York City.

The useful series of reports issued by the United States bureau of corporations on the taxation of corporations in various groups of States has been supplemented by the issuance of a special supplementary report on the subject covering the tax movement throughout the United States during 1912.

A new edition of Prof. A. V. Dicey's *Lectures on the Relation Between Law and Public Opinion in England During the Nineteenth Century* will be published shortly by the Macmillan Company. Professor Dicey has added an introduction covering the recent developments of his subjects. Among other new editions of well-known works may be mentioned the second edition of Prof. James A. Woodburn's *Political Parties and Party Problems in the United States* (New York: Putnam, 1914) and the sixth edition of Prof. F. W. Taussig's *Tariff History of the United States* (ibid.), bringing the work to date including the act of 1913.

The Yale University Press has undertaken the publication in six volumes of Bracton's *De legibus et consuetudinibus Angliae*, edited by George E. Woodbine.

Number 17 of the Kingdom Papers, by John S. Ewart, is entitled *Canadian Sovereignty* and deals, as its title indicates, with the status of Canada in the British Empire.

A List of American Doctoral Dissertations Printed in 1912, prepared by Charles A. Flagg, has been published by the Library of Congress (Washington, 1913, pp. 106).

Selections from the Federalist, edited with an introduction by Prof. W. B. Munro of Harvard University (Cambridge: Harvard University Press, 1914, pp. 202), is a collection of the more important *Federalist* papers, designed to meet the need of college students.

The Harvard University Press announces for early publication a collection of *Cases on Constitutional Law*, by Prof. Eugene Wambaugh, of the Harvard law school.

The Department of State of the United States, its History and Functions, by Gaillard Hunt, which has appeared serially in the *American Journal of International Law*, will be brought out in book form by the Yale University Press.

The American-Japanese Problem, by S. L. Gulick, professor in Doshisha University, Japan (New York: Scribner, 1914) contains an account of the Japanese imbroglio in California and a discussion of the general question of Japanese immigration into the United States.

Special Libraries for February contains lists of references on "Public Utilities," and "The Sterilization of Criminals and Defectives."

A bulletin on "The Recall of Judges," with a bibliography, has been issued by the extension division of the University of Kansas.

"*Legislative Procedure in the Forty-eight States*" by A. E. Sheldon and M. Keegan, is the title of a twenty-eight page bulletin, issued in January by the Nebraska legislative reference bureau. It contains useful information on the subjects of bill-drafting, methods of selecting legislative employees, methods of drawing up appropriation bills, and tabular statements of the cost of legislative sessions in various States.

War and Waste, by David Starr Jordan (London: T. Fisher Unwin; and New York: Doubleday, Page and Company, 1913), marshals a startling array of facts to show the financial, economic and spiritual folly of war and war-scares, and argues strongly for peace among nations.

A digest of widow's pension laws has been compiled and issued as Bulletin no. 4 of the legislative reference department of the North Dakota public library commission.

The State of Idaho has recently published in two volumes the *Proceedings of its Constitutional Convention of 1889*, edited by I. W. Hart, clerk of the Supreme Court. A digest of Louisiana constitutional law

has appeared under the title *The Constitution of Louisiana of 1898*, as amended to November 1, 1913, annotated by Theodore Cotonio, of the New Orleans bar (New Orleans: Louisiana Publishing Company, 1914, pp. 500).

Judicial Interpretation of Political Theory, a study of the relation of the courts to the American party system, by W. B. Bizzell, president of the Texas College of Industrial Arts, is announced for early publication by the G. P. Putnam's Sons.

A pamphlet on "The Short Ballot" has been issued by the Civic League of St. Louis. It outlines in graphic form the need of the short ballot as applied to state and local government in Missouri.

The proposal made last year by Governor Hodges of Kansas to establish a commission form of government for that State has elicited wide comment, as is evidenced by a bulletin recently issued by the legislative reference department of the Kansas State Library on the subject of "Legislative Systems" (pp. 144). It consists of two parts, of which the first, on the unicameral system, is composed of extracts from books, magazines and newspapers, containing arguments favoring the abolition of one branch of the legislature, while the second part consists of similar extracts favoring the maintenance of the bicameral system. An extensive bibliography of the subject is appended.

In *Mexico and the United States*, by Prof. Frederick Starr, of the University of Chicago (Chicago: The Bible House, 1914, pp. 400), the author traces the history of Mexico down to the present disturbed state of affairs, and outlines the economic and social condition of the people. With respect to the present crisis, Professor Starr criticizes President Wilson's policy in some respects, but approves of his policy of non-intervention, on the ground that intervention means war.

Mr. James Schouler, after an interval of fourteen years, has added a seventh volume to his *History of the United States*, covering the Reconstruction Period (Dodd, Mead and Company, 1913). The book is avowedly a vindication of Andrew Johnson. Mr. Schouler tells us that after going through Johnson's manuscripts, now in the Library of Congress, he came to the conclusion that great injustice had been done this president, and this conviction was strongly confirmed by the

publication of the *Diary of Gideon Welles*. He also covers President Grant's two terms. The volume is an exceedingly interesting one, and has running through it a note of personal reminiscence which is entirely pardonable in a writer of Mr. Schouler's age, who during the twelve years covered by the volume resided largely in Washington, and was a thoughtful spectator of the events of that stirring period. Mr. Schouler confirms the rather dismal view of Reconstruction which has been given by Dunning, Rhodes and other recent writers.

Houghton, Mifflin and Company have issued a two-volume *Life of Harrison Gray Otis* by Samuel Eliot Morison. The volumes contain a number of letters that are not without value to the student of early New England politics. Otis was not a great statesman, but he was a typical representative of New England Federalism. His life covers a period 1765-1848. There is a distinct need for political biographies of men of this type. Without them it is impossible to really understand the actions of the more prominent political leaders and the history of national parties.

Another biography of interest to the student of politics is the life of Thomas Ritchie, the famous editor of the *Richmond Enquirer* and later of the *Washington Union*, by Charles Henry Ambler (published by the Bell Book and Stationery Company of Richmond, Va.). Ritchie was invited by President Jefferson in 1804 to assume the editorship of the administration organ in Virginia, and for forty-one years his virile pen dominated the political life of the Old Dominion and exercised a profound influence on national politics and policies. So great was his influence that President Polk, shortly after the beginning of his administration, summoned him to Washington to take charge of the national organ of the Democratic party. Dr. Ambler's volume is too much of a running commentary on Ritchie's editorials. It does not give as illuminating an account of the politics of the Old Dominion as one would expect in the life of a man who played as important a rôle as Ritchie. Nevertheless, the volume has a distinct value.

G. E. Stechert and Company of New York have recently issued a volume entitled *Recent Developments in China* (Clark University Addresses, November, 1912), edited by George H. Blakeslee, containing addresses on different phases of the Chinese question by more than twenty experts. Some of the addresses are of very great interest, and

from the volume as a whole one gains a large amount of valuable information in regard to the causes of the Chinese Revolution and a clearer insight into the problems now demanding solution.

Mr. Albert H. Walker, of the New York bar, is the author of two interesting pamphlets dealing with the federal income tax law, the one entitled *The Income Tax Law Analyzed and Classified* (pp. 132), in which the pamphlet of Luther F. Speer is severely criticized, the other entitled *The Unconstitutional Character and Illegal Administration of the Income Tax Law* (pp. 89), in which it is argued that the law is confiscatory in that provision is made for the collection at the source of incomes from persons who are not liable for the tax; that it compels the debtor companies or persons to act as agents of the government for the collection of the tax, and that it applies to incomes obtained prior to its enactment of the law. The pamphlets are published by the author at Park Row Building, New York City.

The series of lectures delivered in 1913 on the Page Foundation at Yale University has been brought out in book form under the title *Questions of Public Policy* (Yale University Press, 1913, pp. 134). It consists of papers on "The Character and Influence of Recent Immigration," by Jeremiah W. Jenks; "The Essential and Unessential in Currency Legislation," by A. Piatt Andrew; "The Value of the Panama Canal to this Country," by Emory R. Johnson; and "The Benefits and Evils of the Stock Exchange," by Willard V. King. The authors of these papers are recognized authorities on their respective subjects, and the papers themselves are written in an interesting style, with the needs of the general reader in mind. In his paper on the Panama Canal, Professor Johnson brings out a fact not generally appreciated, namely, that only about one-fifth of the total traffic carried by the transcontinental railroads to the Pacific coast originates east of the Allegheny Mountains, and that the opening of the Canal, therefore, cannot be expected to have a great effect upon the rates charged by the transcontinental railroads.

Bureaucratic Government, A Study in Indian Polity, by Bernard Houghton, a former official in the civil service of India (London: P. S. King and Son, 1913, pp. vi, 200), is mainly a criticism of the existing administrative system by which India is governed and a suggestion of the remedies. The principal thesis of the author is that the English

are confronted by a crisis in India, the chief cause of which is a hateful bureaucracy, the "most perfect of its kind in the world," and one which is "undermining the whole structure of British rule" and fomenting insurrection. The remedy consists in reforming the system root and branch and in introducing on a more extended scale the elements of popular government. The reforms introduced by Lord Morley through the establishment of advisory councils have produced, he says, excellent results and they should be extended and a larger degree of local self-government introduced. In all the councils there is too large a proportion of "official" representatives and too few "non-official" members.

The system of provincial councils, we are told, "holds the touchstone of success;" from these and not from that of the viceroy, the Indian parliaments of the future are to spring. These councils should be given a larger power of legislation and that of the viceroy restricted to those subjects which concern directly or indirectly foreign powers or in which uniformity of procedure throughout India is really essential. In short, "The keynote of all progress lies in the transfer of power from the bureaucracy to men unworped by official bias and more in sympathy with popular aspirations."

Taxation and the Distribution of Wealth, by Frederic Mathews (New York: Doubleday, Page and Company, 1914, pp xvi, 680), is the title of an ambitious work, in which the author, starting with a description of the causes and effects of the protective tariff and of various forms of taxation, is led very far afield into the ramifications and by-paths of his subject and related subjects. He brings within the field of his observation various systems of art, religion and philosophic thought, both of ancient and modern times, and quotes a wide range of authors, from Epictetus, Plutarch and Lactantius down to Roosevelt and Lincoln Steffens.

The Fall of Protection, by Bernard Holland (London and New York: Longmans, Green and Company, 1913, pp. xi, 372), is the title of a recent work in which the author of *Imperium et Libertas* gives us a well-rounded and, in the main, a trustworthy account of the political events in England between 1840 and 1850 which led to the repeal of the corn laws and the adoption of the free trade principle. In the last two chapters, he outlines the present situation and supports the position that there should be a wise and moderate change in the existing system by returning to a reasonable degree of protection of British industries from unfair competition.

Commission Regulation of Public Utilities, published by the National Civic Federation (New York, 1913, pp. 1284), is a "compilation and analysis of the laws of forty-three States and of the federal government for the regulation by central commissions of railroads and other public utilities." Among the heads under which the provisions of the laws are classified may be mentioned the organization and powers of commissions, rate making, service, accounts, franchises, enforcement, stock and bond issues, intercorporate relations, and commission procedure and practice. The work was carried on by a committee of the Federation, of which Emerson McMillin was chairman, and Prof. John H. Gray, of the University of Minnesota, was the director of the investigation. Such a work as this is fundamental to the thorough study of the legal regulation of public utilities, and students of this subject are under obligations to those who have undertaken the work and carried it to completion.

Where and Why Public Ownership has Failed, by Yves Guyot, translated from the French by H. F. Baker (New York: The Macmillan Company, 1914, pp. 459), is the work of a man of very decided opinions upon the subject of governmental and municipal ownership. He starts out with the sole ostensible object of presenting a compilation of authentic facts and figures regarding public ownership and operation. Those which he has collected cover a wide range, and are drawn from most of the important countries of Europe and from New Zealand. He compares public and private ownership from the standpoint of bookkeeping and finance and also from that of various administrative results, such as the safety of travelers, disorders, delays and errors. The facts which he selects point strongly to the superiority of private ownership, but the strength of his argument is somewhat lessened by the tone of the book, which is distinctly partisan. There is not only a need of authentic facts upon this subject, but also a need of calm consideration of them.

Dr. O. W. Krauth, in a monograph entitled *The Policy of the United States Towards Industrial Monopoly* (Columbia University Studies in History, Economics and Public Law, vol. lvi, no. 2, 1914, pp. 230), gives a clear presentation of the subject from a legislative and judicial point of view. The formation of the policy leading up to the enactment of the Sherman act of 1890, and the history of federal anti-trust legislation since that date, are described, and an estimate made of the views and policies of the administrations of Harrison, Cleveland, Mc-

Kinley, Roosevelt and Taft. Then follows a chapter of eighty pages analyzing briefly the decisions of the Supreme Court which have dealt with the constitutionality and construction of the federal anti-trust laws. The study is concluded with an analysis of government policies which is divided into two parts: the one considering the questions, what kind of combinations have been forbidden, and why; and the other, the methods of treating combinations. In his preface the author says: 'Should this book give the reader a clearer understanding, in the light of history, of the policies to be adopted during the present administration, its purpose will be accomplished.' This aim the study certainly fulfils.

The appearance of a revised edition of Sidney Low's *The Government of England* (New York: Putnam's, 1914, pp. 320) is very welcome, for the work still remains the best and clearest account within very moderate compass of the actual working of parliamentary institutions in England. In addition to revising the text throughout the work, the author has supplied an introduction in which are noted the more important developments and constitutional practices since the book was first published fourteen years ago. Here he calls especial attention to the fact that the operation of the act of 1911 abridging the power of the house of lords as an upper legislative chamber will be dependent upon the reform which all parties agree is soon to be made in the composition of that body.

That the influence and importance of the prime minister is increasing is also emphasized. He is attaining the attributes of an imperial chancellor and having thrust upon him duties to which it is not practicable that the collective responsibility of the cabinet should be applied. As to home rule for Ireland, Mr. Low repeats his conclusion earlier stated that some system of subordinate legislatures, some devolution of authority on a large scale is required in order that the central parliament be released of the burdens of legislation which are now beyond its strength. In the house of commons the aristocratic element is declared to be declining and the plutocratic influence increasing.

To the growing American literature on workmen's insurance is added the volume by I. N. Rubinow, chief statistician of the Ocean Accident and Guarantee Corporation, entitled *Social Insurance, With Special Reference to American Conditions* (New York: Henry Holt and Company, 1913, pp. vii, 525). Notwithstanding his connection with the

insurance business, the author has made but slight attempt to consider the actuarial problems involved in organizing financially sound insurance institutions. Neither has he attempted to describe and criticize insurance institutions as built up in foreign countries except as such systems are considered by way of illustration. Essentially the work is a study in the field of social economics, and its importance lies in showing the necessary part that efforts in this field, not only are taking, but from the nature of the problem must take, if the condition of the masses is to be permanently improved. The work is divided into five parts, dealing respectively with: the general concept and problem of social insurance, insurance against industrial accidents; insurance against sickness; insurance against old age, invalidity and death; and insurance against unemployment.

The Mechanics of Law Making, by Courtenay Ilbert, clerk of the house of commons (New York: Columbia University Press, 1914, pp. xiii, 209) contains the Carpentier lectures delivered by the author at Columbia University in October, 1913. Sir Courtenay reviews the history of bill-drafting in England and describes the origin and functions of the parliamentary counsel to the treasury. Separate chapters are devoted to "Rules for the Guidance of Draftsmen," "Forms of Legislation," "Codification" and "The Study of Comparative Legislation."

Les Jeunes Délinquants, by Hassan Nachât (Paris: Arthur Rousseau, 1913, pp. 410), is a description and discussion of the systems adopted in England, France and Egypt for the treatment of the youthful offender. The author is decidedly opposed to the idea of punishing young criminals. He does not, however, advocate their reformation but rather the formation in them of the proper spirit and the desire to become honest members of society. Only through education and training of a positive character can this result be brought about. The book is supplied with a number of illustrations showing existing methods of dealing with young criminals.

La Protection Légale des Travailleurs aux États-Unis, by E. Dewavrin and G. Lecarpentier (Paris: Marcel Rivière, 1913, pp. 348), is dedicated to M. Levasseur, whose early work on the American workman it supplements and brings down to date. It considers the legal provisions in this country relating to such subjects as the labor contract, length of working day, wages, hygiene and security of labor, regulation of sweat

shop labor, accidents, protection of women and children, etc., and compares these provisions with the corresponding French legislation.

A new volume in the American Casebook Series, edited by Dr. James Brown Scott, is Prof. James Parker Hall's *Cases on Constitutional Law* (St. Paul: West Publishing Company, 1913, pp. xxxii, 1452). The volume is somewhat larger than that of McClain's Casebook, and, of course, has the advantage over that compilation of being able to include a number of the more recent cases. Both collections are designed for use in law schools employing the case method of instruction. In aim, however, the two volumes are not quite the same. Judge McClain has in view the provision of material for study whereby the fundamental principles of our constitutional jurisprudence may be determined and comprehended. Professor Hall's aim is to provide the means whereby the student may obtain a knowledge of the substantive principles of constitutional law which will qualify him for admission to the practice of the law. Thus his cases cover more details of our federal jurisprudence but leave untouched, or meagerly represented, the more general principles. This difference in scope largely explains the fact that very many more cases are represented in Professor Hall's volume than are given in Judge McClain's collection. Judge McClain's footnotes consist almost wholly of synopses of cases related to those given in the text, and to dissenting opinions. Professor Hall's footnotes contain much valuable explanatory matter as well as references to cognate cases. It would have greatly added to the value of Professor Hall's volume if he had followed the plan of Judge McClain of enumerating in the table of contents the principal cases illustrating each sub-topic. As it is one can ascertain what cases are given under any head only by turning the leaves of the chapter.

In his *Privileges and Immunities of Citizens of the United States* (Columbia University Studies, vol. liv, no. 1, 1913, pp. 94), Dr. A. J. Lien undertakes to arrive at a definition of such privileges and immunities through an examination of the decision of the courts, principally of the Supreme Court, with some sidelight drawn from the congressional debates upon the adoption of the fourteenth amendment. His conclusion is that the dual character of citizenship in the United States is the result of the existence of two coördinate governments, and the two citizenships correspond in extent and limitations to the powers of the respective governments from which they arise. The privileges and im-

munities of citizens of the United States are those "which arise from the powers conferred upon the national government, which are completely protected by that government, and which are enjoyed by the individual because he is a citizen," while the fundamental individual rights of life, liberty and property are not privileges and immunities of citizens of the United States (pp. 80, 81). This contention has, in fact, been pretty well established since the decision in the Slaughter House Cases. Much of the ground over which the author treads has already been covered by earlier monographs, and he adds little new light to the subject, but the book may serve as a useful summary of the leading cases on this topic. In enumerating examples of privileges and immunities of citizens of the United States, as established by the courts, he includes "exemption from race-discrimination," and cites the cases of *United States vs. Reese* and *United States vs. Cruikshank* (p. 81). In this general form, however, the statement is misleading, since these cases are authority for the exemption from race-discrimination only in the matter of voting. An appendix contains a list of leading cases and authorities.

RECENT DECISIONS OF STATE COURTS ON POINTS OF PUBLIC LAW

Direct legislation—referendum. *Meade vs. Dane County.* (Wisconsin, February 3, 1914. 145 N. W. 239.) A statute provides that no ordinance of a county board shall go into effect within twenty days from the date of its passage and that within that time a petition may be filed for the submission of such ordinance to the referendum of the voters, upon whose disapproval the ordinance shall stand repealed.

Held that this provision is unconstitutional since it covers ordinances of an administrative character in which the county board exercises quasi-judicial functions, as for instance, in allowing claims against the county. The decision also holds that since the constitution recognizes the county board as the governing body of the county its legislative powers may not be delegated to the voters and that a referendum is in effect such delegation.

Parliamentary law—delegation of power to minority. *Rawles vs. Wyand.* (Oklahoma, January 13, 1914. 138 Pac. 158.) By concurrent resolution which became effective on June 30, 1913, the two houses of the legislature directed an adjournment to July 5. On that day after the roll call of each house, if it should appear that a quorum had not